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Page: 1 of 19 05/21/2012 03:36:04 PM Fee: \$143.00
Charlotte Mills - Gallatin County, MT MISC

RETURN DOCUMENT TO:
American Land Title Company
1800 W. Koch, Bozeman, MT 59715
Order No: BCS

**FOURTH AMENDMENT TO THE
SUPPLEMENTAL DECLARATION
FOR
SOUTH MEADOW CONDOMINIUM
(Phases 1-13B)**



**CITY OF BOZEMAN
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPE**

Alfred M. Stiff Professional Building
20 East Olive Street
P.O. Box 1230
Bozeman, Montana 59771-1230

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fax 406-582-2263
planning@bozeman.net
www.bozeman.net

Date: May 9, 2012

To Whom It May Concern:

Senate Bill 527 amending §76-3-203, M.C.A. was signed into law on April 17, 2007. This bill revised the exemption for the creation of new condominiums from the Subdivision and Platting Act. The amendment had an immediate effective date. The text of the amended section is now as follows:

Section 1. Section 76-3-203, M.C.A., is amended to read:

“76-3-203. Exemption for certain condominiums. Condominiums constructed on land subdivided in compliance with parts 5 and 6 of this chapter or on lots within incorporated cities and towns are exempt from the provisions of this chapter if:

- (1) the approval of the original subdivision of land expressly contemplated the construction of the condominiums and any applicable park dedication requirements in 76-3-621 are complied with; or
- (2) the condominium proposal is in conformance with applicable local zoning regulations when local zoning regulations are in effect.”

Pursuant to the above statute, the Department of Planning and Community Development has determined that the condominium development on property legally described as Lot 1 of MiSub #294, SW ¼, Section 19, T2S, R6E, P.M.M, City of Bozeman, Gallatin County, Montana.



does not require subdivision review and has satisfied the exemption criteria.



has completed review as a subdivision.

If you have any questions or comments, please contact the City of Bozeman Planning Office at 582-2260. Thank you for your cooperation.

Tim McHarg, AICP
Director of Planning and Community Development

CERTIFICATE OF FLOOR PLAN

The undersigned, being a duly registered professional architect in the State of Montana, herewith certifies the following:

That the floor plans for SOUTH MEADOW CONDOMINIUM, Phases 1-13B, Units 1-93, situated according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana, as duly filed with the Declaration and the Supplemental Declarations, fully and accurately depict the layout, location, unit designation and dimensions as built of the SOUTH MEADOW CONDOMINIUM and that such floor plans are an accurate copy of the plans filed with and approved by the officials and officers of the City of Bozeman having jurisdiction to issue building permits.

DATED: May 8, 2012



REGISTERED PROFESSIONAL ARCHITECT

Number: 1189

**FOURTH AMENDMENT TO THE
SUPPLEMENTAL DECLARATION
FOR
SOUTH MEADOW CONDOMINIUM
(Phases 1-13B)**

By this Fourth Amendment to the Supplemental Declaration made this ___ day of May, 2012, SOUTH MEADOW, INC., of Bozeman, Montana, the undersigned, amends the Declaration for South Meadow Condominium, recorded May 21, 2002, as Document No. 2069742, the Supplemental Declaration, recorded July 23, 2003, as Document No. 2116581, the Supplemental Declaration, recorded April 6, 2004, as Document No. 2145707, the Supplemental Declaration, recorded July 14, 2005, as Document No. 2194328, the Supplemental Declaration, recorded February 27, 2007, as Document No. 2257983, the First Amendment to the Supplemental Declaration, recorded March 24, 2010, as Document No. 2357022, the Second Amendment to the Supplemental Declaration, recorded April 21, 2010 as Document No. 2359145, and the Third Amendment to the Supplemental Declaration, recorded August 3, 2011 as Document No. 2394102. This Fourth Amendment to the Supplemental Declaration is made pursuant to Article IV and other appropriate provisions of said Declaration.

1. Article II. Real Estate, Description, is amended in the second paragraph, first sentence, as follows:

The condominium units in Phases 1 through 13B consist of ninety-three (93) separate units numbered 1 through 93, subject to the expansion provisions of Article IV below. The provisions of this Declaration and the Bylaws shall be construed to be covenants running with the land, and shall include every unit and shall be binding upon the Unit Owners, their heirs, successors and personal representatives and assigns for as long as this SOUTH MEADOW Fourth Amendment to the Supplemental Declaration is in effect.

2. Article II. Real Estate, Condominium Units, is amended in the first paragraph, second sentence, as follows:

Each Unit, together with the appurtenant undivided interest in the common elements of SOUTH MEADOW shall together comprise one condominium unit, shall be inseparable, and may be conveyed, leased, rented, devised or encumbered as a condominium unit. The Units

comprising the condominium are contained in forty-five (45) buildings, subject to the expansion provisions of Article IV below.

3. The Percentage of Interest paragraph of Article IV. Ownership and Voting - Exhibits - Use, is amended by the substitution of a schedule of the percentage of undivided ownership of the specific units as follows:

PHASES 1 THROUGH 13B

UNIT NO.	SQUARE FOOTAGE	PERCENTAGE OF INTEREST IN GENERAL COMMON ELEMENTS
1	1,820	.948979%
2	1,917	.999557%
3	1,917	.999557%
4	1,775	.925516%
5	1,917	.999557%
6	1,917	.999557%
7	1,820	.948979%
8	2,017	1.051699%
9	1,917	.999557%
10	1,820	.948979%
11	2,017	1.051699%
12	1,775	.925516%
13	2,230	1.162759%
14	2,118	1.104362%
15	2,230	1.162759%
16	2,118	1.104362%
17	1,975	1.029799%
18	2,230	1.162759%
19	1,975	1.029799%
20	1,775	.925516%
21	2,118	1.104362%
22	1,775	.925516%
23	2,230	1.162759%
24	2,118	1.104362%
25	2,230	1.162759%
26	1,975	1.029799%
27	1,775	.925516%
28	2,118	1.104362%

29	1,975	1.029799%
30	1,975	1.029799%
31	2,230	1.162759%
32	2,118	1.104362%
33	1,775	.925516%
34	2,017	1.051699%
35	2,118	1.104362%
36	1,975	1.029799%
37	2,230	1.162759%
38	1,975	1.029799%
39	1,975	1.029799%
40	2,118	1.104362%
41	1,775	.925516%
42	1,660	.865553%
43	2,230	1.162759%
44	1,775	.925516%
45	1,975	1.029799%
46	1,975	1.029799%
47	2,118	1.104362%
48	1,975	1.029799%
49	2,466	1.285815%
50	2,155	1.123654%
51	1,975	1.029799%
52	2,230	1.162759%
53	1,695	.883802%
54	2,118	1.104362%
55	1,775	.925516%
56	1,775	.925516%
57	1,975	1.029799%
58	2,118	1.104362%
59	2,230	1.162759%
60	2,118	1.104362%
61	1,975	1.029799%
62	1,975	1.029799%
63	1,975	1.029799%
64	2,588	1.349428%

65	2,118	1.104362%
66	2,588	1.349428%
67	1,975	1.029799%
68	2,118	1.104362%
69	1,975	1.029799%
70	2,118	1.104362%
71	1,975	1.029799%
72	2,118	1.104362%
73	1,975	1.029799%
74	2,118	1.104362%
75	1,975	1.029799%
76	1,975	1.029799%
77	2,230	1.162759%
78	2,118	1.104362%
79	2,018	1.052220%
80	1,695	.883802%
81	2,588	1.349428%
82	2,118	1.104362%
83	1,990	1.037620%
84	2,588	1.349428%
85	2,588	1.349428%
86	2,588	1.349428%
87	2,118	1.104362%
88	1,990	1.037620%
89	2,588	1.349428%
90	2,118	1.104362%
91	2,588	1.349428%
92	2,118	1.104362%
93	<u>1,990</u>	<u>1.037620%</u>
TOTALS	191,785	100%*

* Subject to the expansion provisions below.

4. Article IV., Ownership and Voting - Exhibits - Use, Voting Interest, the last sentence in this paragraph shall be amended as follows:

For the present, each of the existing ninety-three (93) units shall have one vote per unit, for a total of ninety-three (93) votes.

5. Article IV., Ownership and Voting - Exhibits - Use, Expansion Provisions, the first sentence in the first paragraph shall be amended as follows:

The Declarant intends from time to time to construct additional Units on the property, for a final total not to exceed one hundred (100) units.

6. Article IV., Ownership and Voting - Exhibits - Use, Floor Plans and Exhibits, the first sentence of the first paragraph shall be amended as follows:

SOUTH MEADOW presently consists of forty-five (45) buildings and the real property described on **Exhibit A**, which contains a total of ninety-three (93) separate SOUTH MEADOW Units, as shown on the site plan, floor plans and elevations for the buildings and units as constructed and are attached hereto as **Exhibits B and C**.

7. The two (2) additional buildings with the additional four (4) units contained therein are built as shown on the floor plans and site plan. The principal materials of construction are the same as listed in Article IV., Ownership and Voting - Exhibits - Use, under the paragraph entitled Construction Materials.
8. As to these four (4) new units, there are no changes in the limited common elements contained in the existing Declaration.
9. Except as amended as set forth above, the Declaration for South Meadow Condominium shall be in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this Fourth Amendment to the Supplemental Declaration for South Meadow Condominium (Phases 1-13B) to be made and executed according to and under the provisions of the Unit Ownership Act, Title 70, Section 23, M.C.A., and the Declaration for South Meadow Condominium.

SOUTH MEADOW, INC.

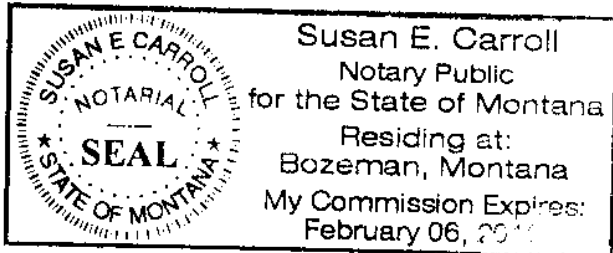
By:


Kerf LeClair, President

STATE OF MONTANA)
) ss.
County of Gallatin)

On this 8 day of May, 2012, before me, a Notary Public in and for the State of Montana, personally appeared Ken LeClair, the President of SOUTH MEADOW, INC., whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

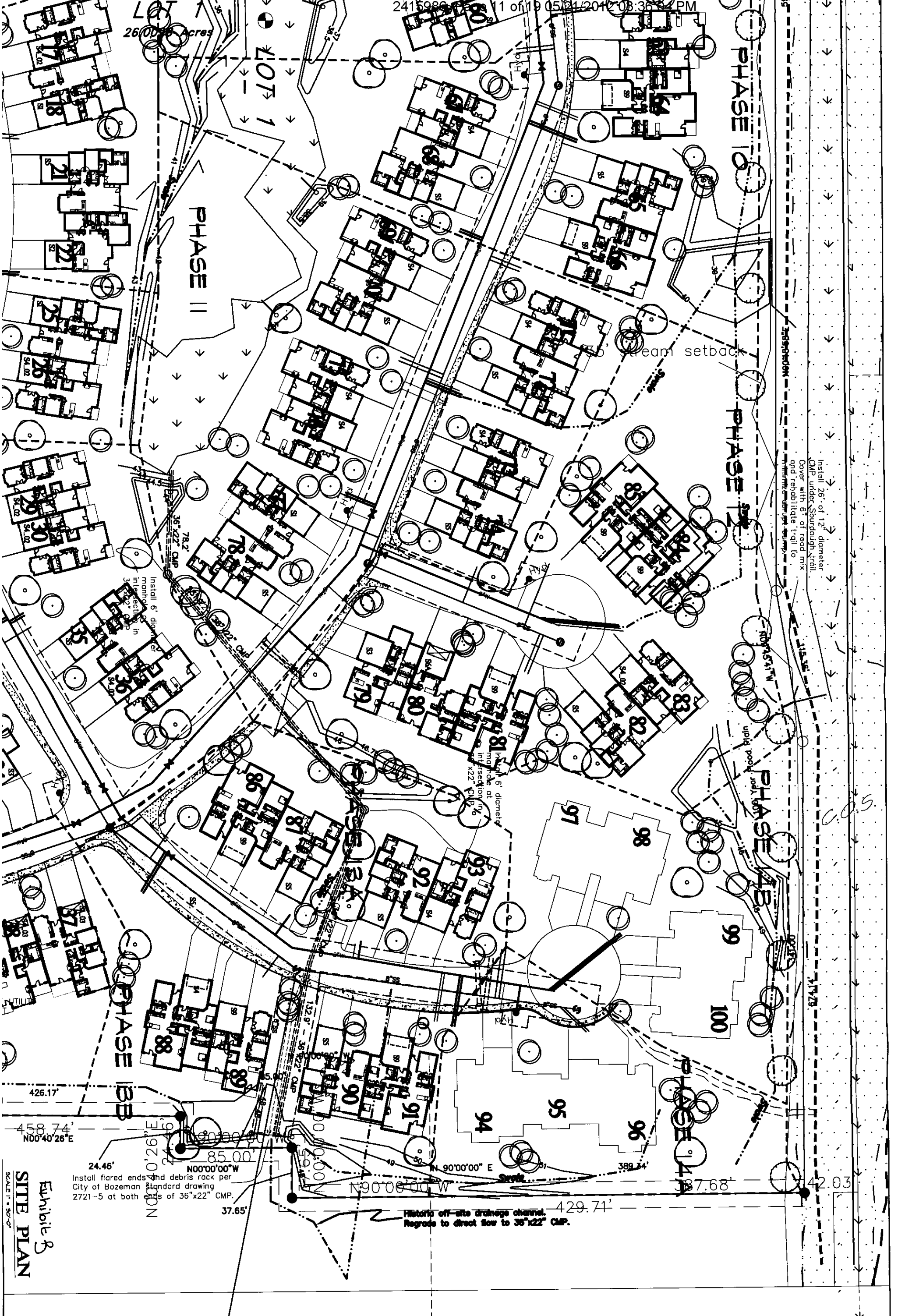


Susan E. Carroll

Notary Public for the State of Montana
Printed Name: Susan E. Carroll
Residing at _____
My Commission expires: _____

EXHIBIT A

South Meadow Condominium, located on Lot 1 of Minor Subdivision No. 294 (South Meadow Minor Subdivision), located in the SW $\frac{1}{4}$ of Section 19, Township 2 South, Range 6 East, P.M.M., City of Bozeman, Gallatin County, Montana, the Declaration for which was recorded May 21, 2002 at 3:24 P.M., as Document No. 2069742, and Supplemental Declarations recorded July 23, 2003 at 3:34 P.M., as Document No. 2116581, and April 6, 2004 at 10:30 A.M., as Document No. 2145707, records of Gallatin County, Montana. The use of this condominium shall be for residential purposes only.



26.00 Acres

PHASE II

PHASE I

PHASE III

PHASE IV

PHASE 13B

Exhibit B
SITE PLAN
SCALE: 1" = 30'-0"

C2



CIKAN ARCHITECTS, P.C.
1807 W. DICKERSON, SUITE C
BOZEMAN, MONTANA 59715
(406) 586 3624

PHASE 13B
SOUTH MEADOW
3300 GRAF STREET, BOZEMAN, MONTANA

DATE	REVISION

Install 26" of 12" diameter CMP under Stourdragon Ndrill. Cover with 6" of road mix and rehabilitate trail to minimize debris pump.

Install 6" dia. manhole at intersection in 36"x22" CMP.

Install 6" diameter manhole at intersection in 36"x22" CMP.

Install pool jockey.

Historic off-site drainage channel. Regrade to direct flow to 36"x22" CMP.

426.17'

458.74' N00°40'26" E

24.46'

85.00' N00°00'00" W

Install flared ends and debris rack per City of Bozeman Standard drawing 2721-5 at both ends of 36"x22" CMP.

37.65'

N90°06'00" W

N 90°00'00" E

429.71'

387.68'

42.03'

317.79'

389.90'±

100.25'± N

100.25'± N

100.25'± N

100.25'± N

100.25'± N

GENERAL NOTE:
 INSULATION VALUES TO BE AS INDICATED.
 WALLS: 2" EPS, R10
 FLOOR: 2" EPS, R10
 ATTIC SPACE/ROOF: R30
 FINISHES LOCATED IN THE CONDITIONED RESIDUAL HEATING FROM THE BUILDING; CRAWL SPACE PERMITTER WALLS INSULATED WINDO BATT. LOCATION NEAR THE CRAWL SPACE ACCESS (EVALUATE LOCATION BY BUILDER). RECEPTACLES TO BE TAPEPROOF NEC 408.11 AND AFCI PER NEC 2012

UNIT TYPE S4
 MAIN AREA = 1,940 SF

UNIT TYPE S5
 MAIN AREA = 2,118 SF

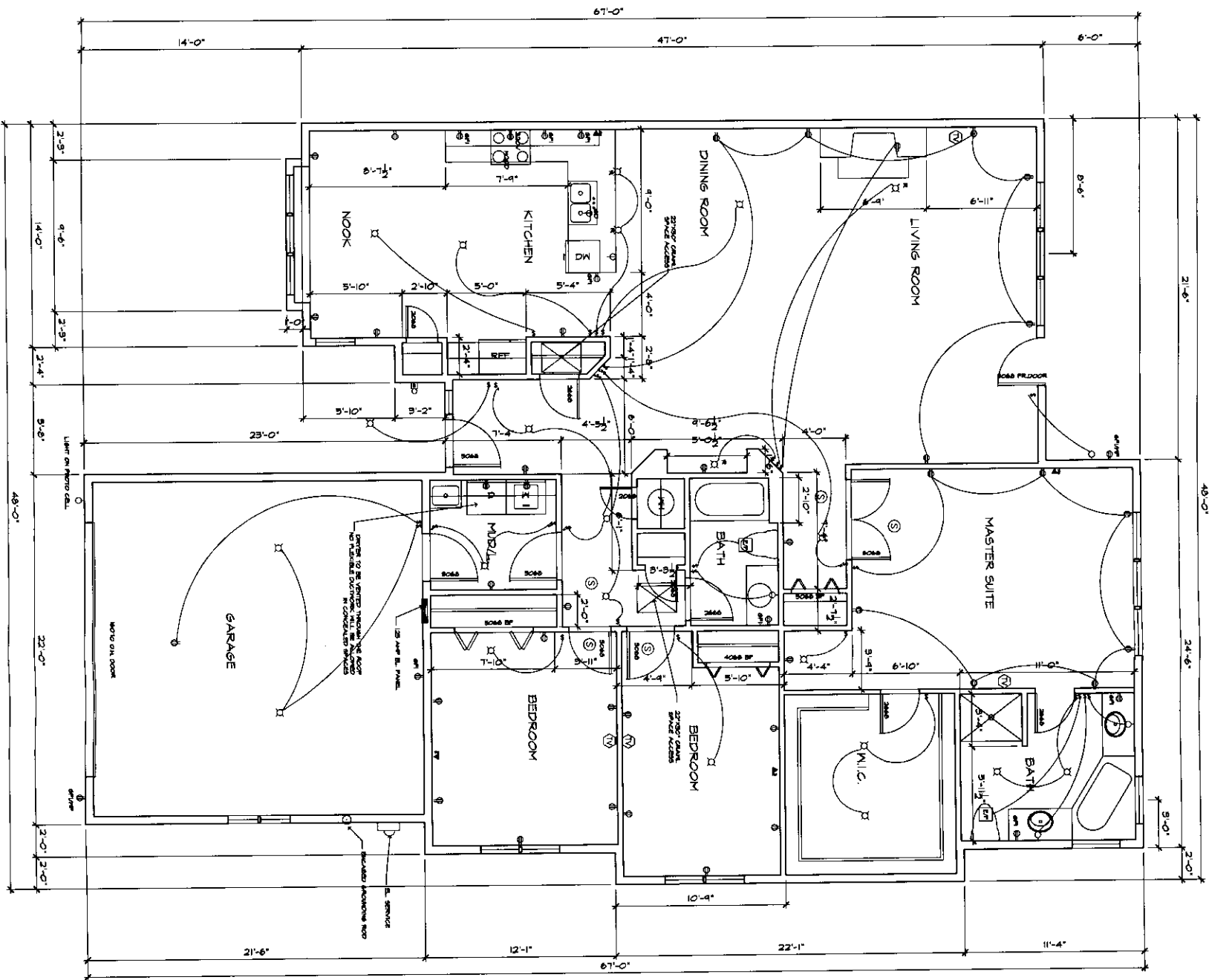
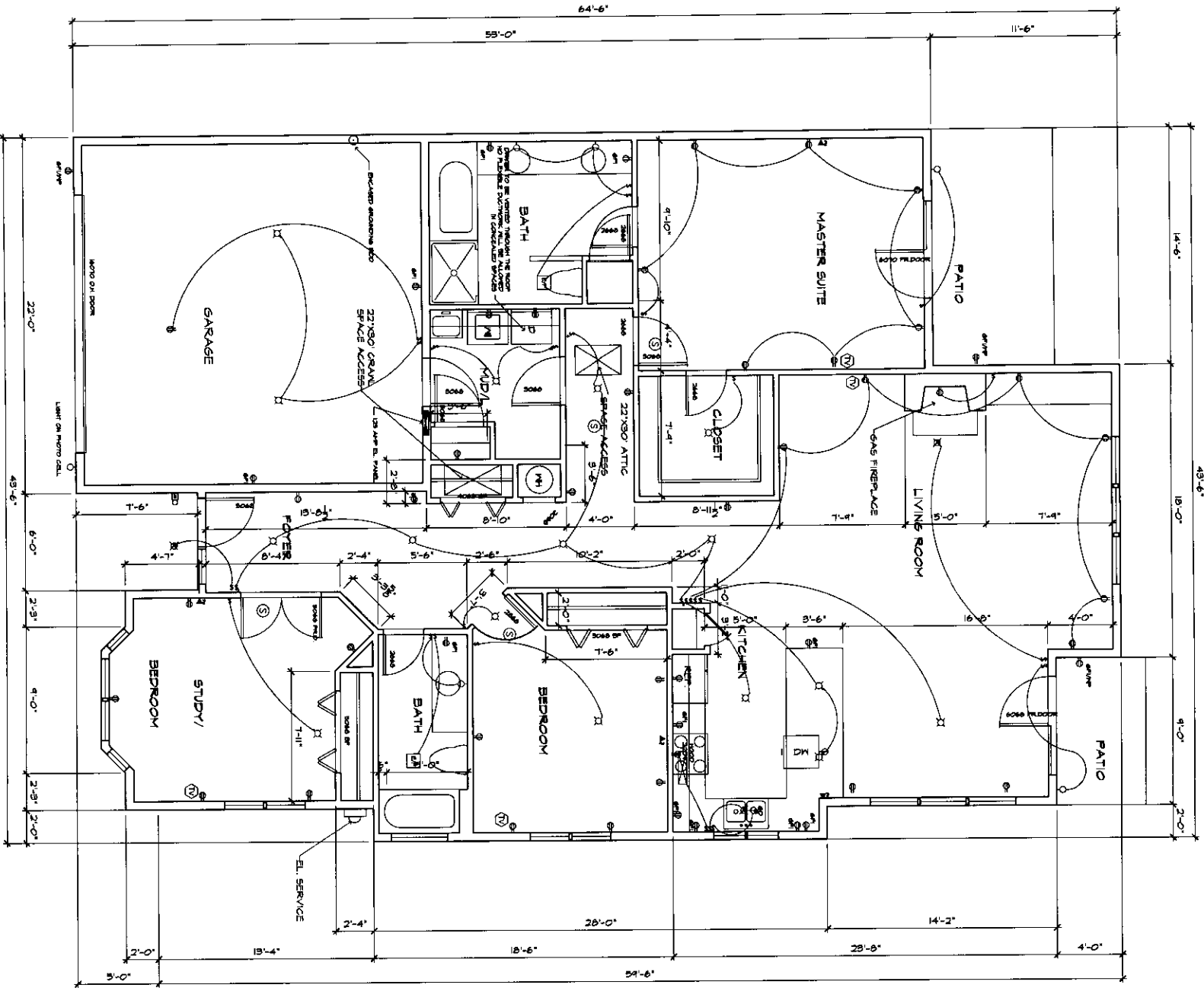
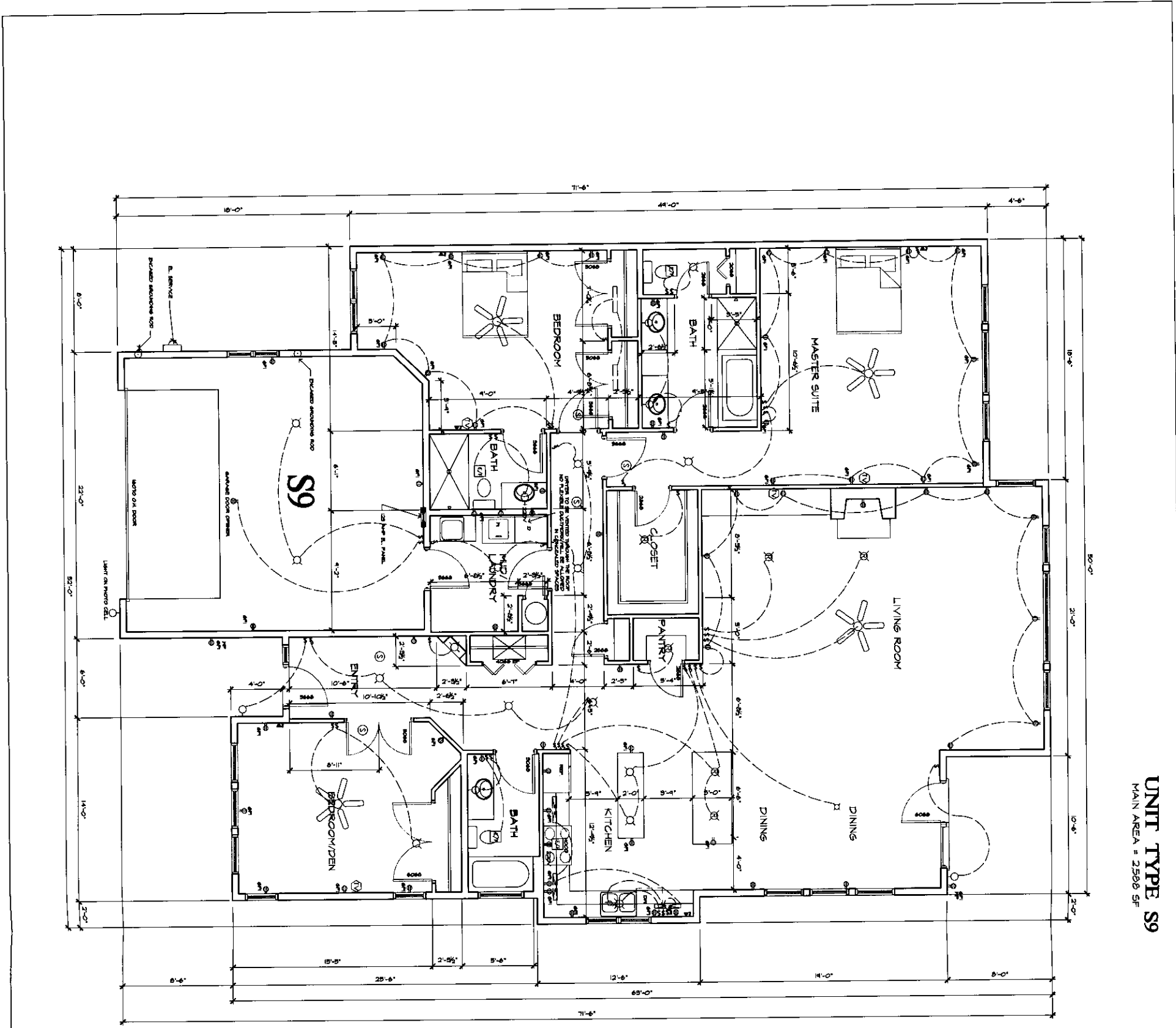


Exhibit C
FLOOR PLAN
 SCALE 1/4" = 1'-0"

AI	UNITS S4 & S5	 CIKAN ARCHITECTS, P.C. 1807 W. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 586 3624	PHASE 13A SOUTHMEADOW CONDOS 9000 GRAF STREET, BOZEMAN, MONTANA	DATE 7/3/2011
				REVISIONS



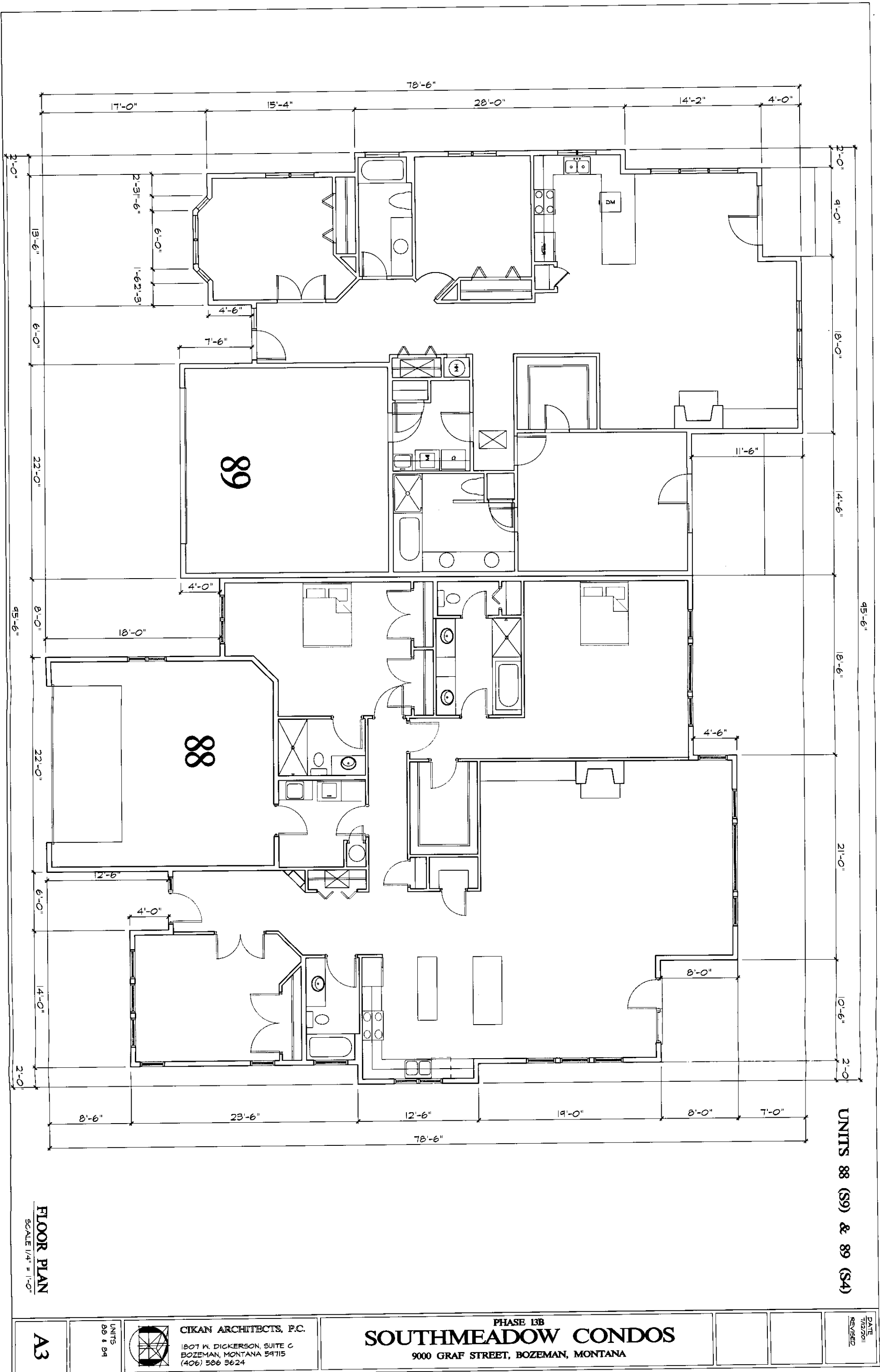
UNIT TYPE S9
MAIN AREA = 2598 SF

GENERAL NOTE:
INSULATION VALUES TO BE AS INDICATED.
WALLS: R11
CEILING: R19
FLOOR: R10
ATTIC SPACE/ROOF: R60
FURNACE LOCATED IN THE CONDITIONED RESIDUAL HEATING FROM THE BUILDING. CRAWL SPACE PERIMETER WALLS INSULATED W/200 BATT. LOCATION NEAR THE CRAWL SPACE ACCESS (EXACT LOCATION BY BUILDER). RECEPTACLES TO BE TYPED-ROOF NEC 408.11 AND AFCI PER NEC 210.12

PROJECT COMPLETES WITH THE CURRENTLY ADOPTED CODES:
2006 INTERNATIONAL RESIDENTIAL CODE (IRC)
2004 INTERNATIONAL BUILDING CODE (IBC)
2004 INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC)
2004 INTERNATIONAL FIRE AND ALARM CODE (IFAC)
2004 NATIONAL ELECTRICAL CODE (NEC)
2004 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
2004 INTERNATIONAL FIRE CODE
2007 NFPA 72 FIRE ALARMS

FLOOR PLAN
SCALE 1/4" = 1'-0"

A2	UNIT S9	 CIKAN ARCHITECTS, P.C. 1807 N. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 586 3624	PHASE 13A SOUTHMEADOW CONDOS 9000 GRAF STREET, BOZEMAN, MONTANA	DATE 7/2/2011 REVISION
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UNITS 88 (S9) & 89 (S4)

FLOOR PLAN
SCALE 1/4" = 1'-0"

A3

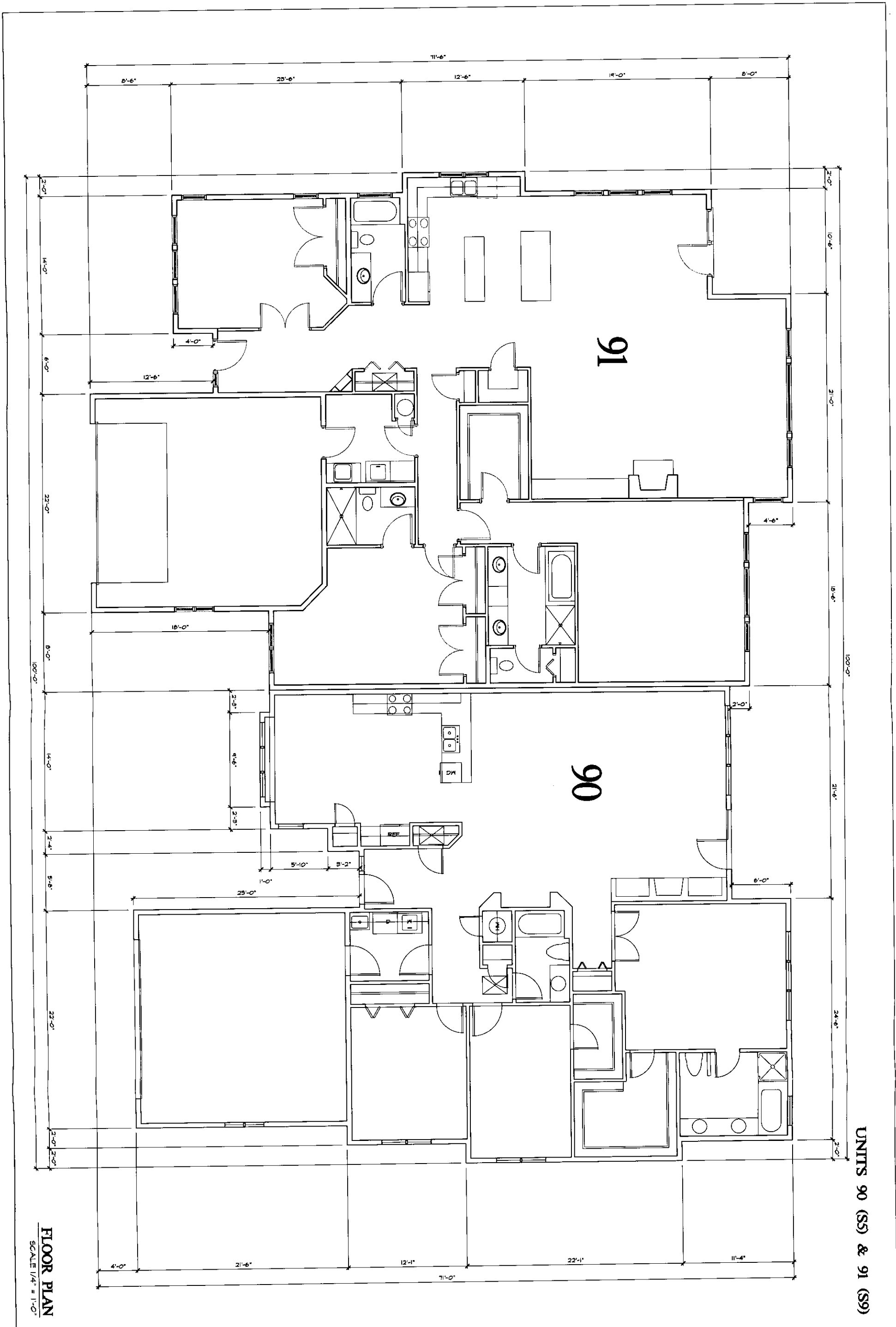
UNITS
88 & 89



CIKAN ARCHITECTS, P.C.
1807 W. DICKERSON, SUITE C
BOZEMAN, MONTANA 59715
(406) 586 3624

PHASE 13B
SOUTHMEADOW CONDOS
9000 GRAF STREET, BOZEMAN, MONTANA

DATE
11/27/11
REVISION



UNITS 90 (S5) & 91 (S9)

FLOOR PLAN
SCALE 1/4" = 1'-0"

A4

UNITS91041

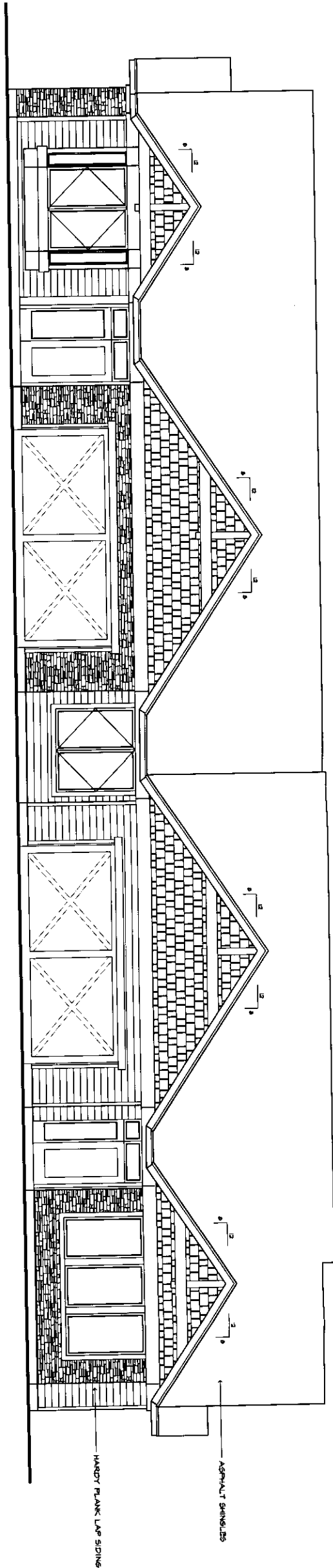


CIKAN ARCHITECTS, P.C.
 1801 W. DICKERSON, SUITE C
 BOZEMAN, MONTANA 59715
 (406) 586 3624

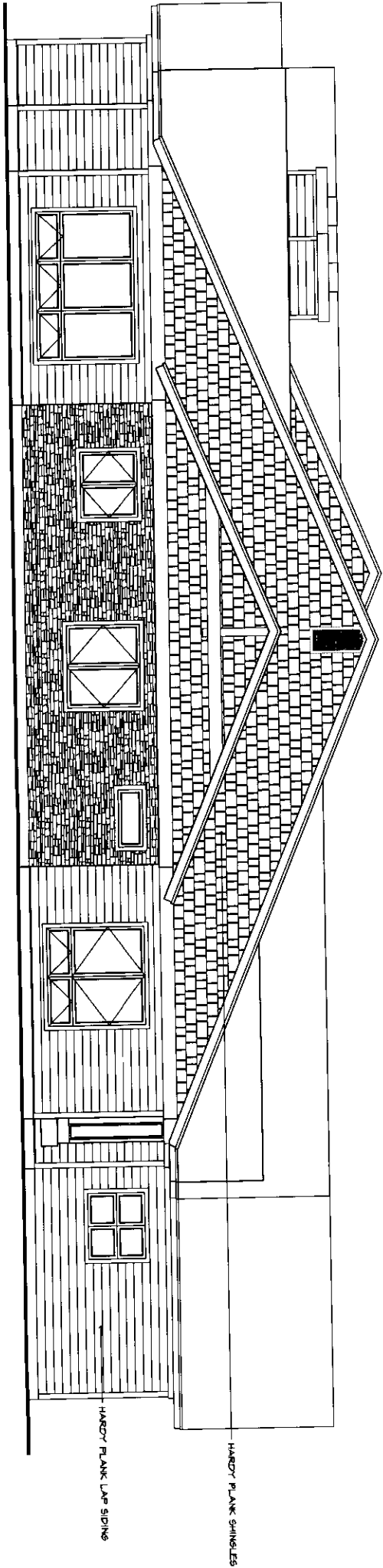
PHASE 13B
SOUTHMEADOW CONDOS
 9000 GRAF STREET, BOZEMAN, MONTANA

DATE
 7/27/11
 REVISED

UNIT 88 (S9) & 89 (S4)



FRONT



SIDE

GENERAL NOTE:
 CONSULT THE ARCHITECT FOR MATERIALS AND FINISHES
 SPECIFIED IN THE CONTRACT DOCUMENTS

ELEVATIONS
 SCALE 1/4" = 1'-0"

DATE
 7/13/2011
 REVISED

PHASE 13B
SOUTHMEADOW CONDOS
 9000 GRAF STREET, BOZEMAN, MONTANA

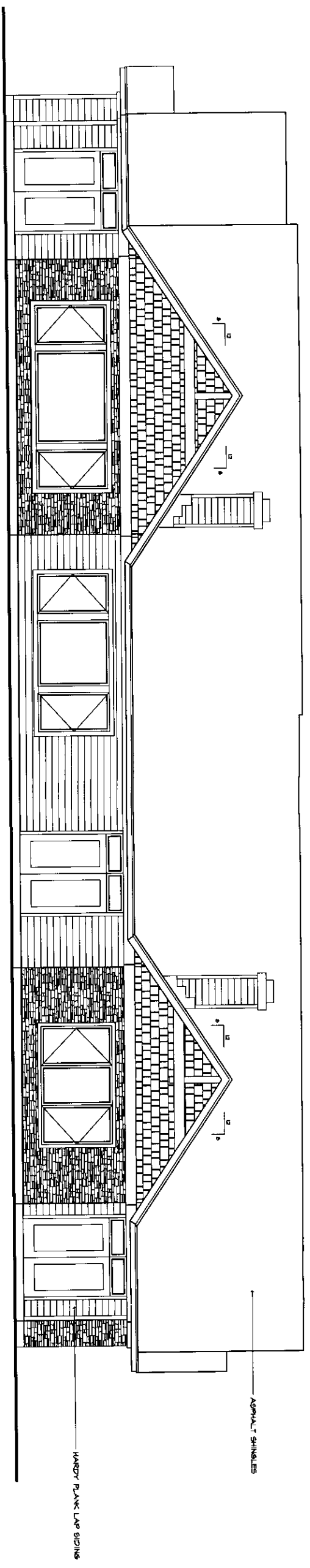
CIKAN ARCHITECTS, P.C.
 1807 W. DICKERSON, SUITE C
 BOZEMAN, MONTANA 59715
 (406) 586 3624



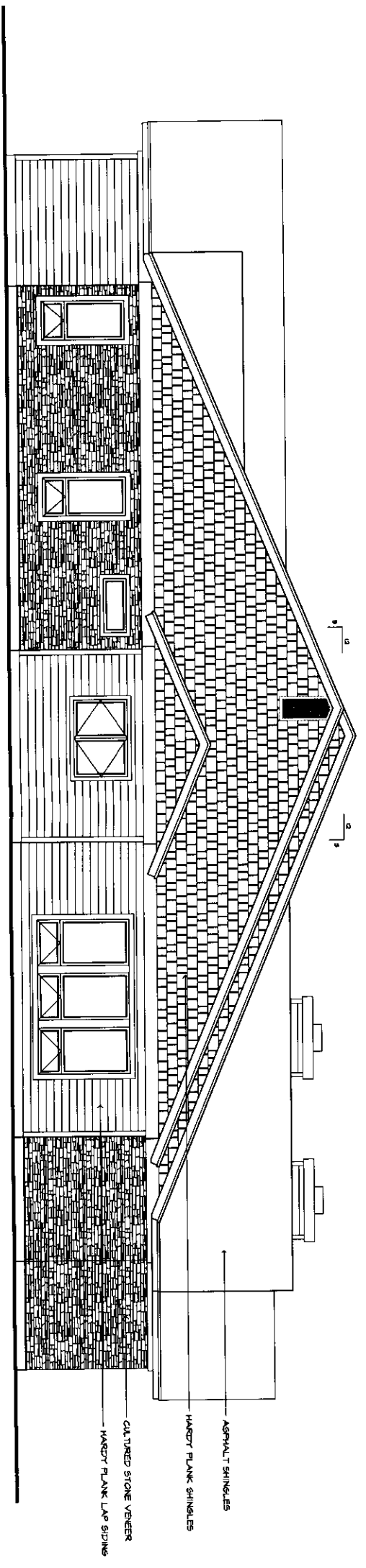
ELEVATIONS

A5

UNIT 88 (S9) & 89 (S4)



BACK



SIDE

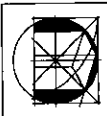
GENERAL NOTE:
CONSTRUCTION OF EXTERIOR FINISH MATERIALS MAY VARY
AS WELL THE EXIST OF SOME OF THE FINISHES

ELEVATIONS
SCALE 1/4" = 1'-0"

DATE
7/12/2011
REVISED

PHASE 13B
SOUTHMEADOW CONDOS
9000 GRAF STREET, BOZEMAN, MONTANA

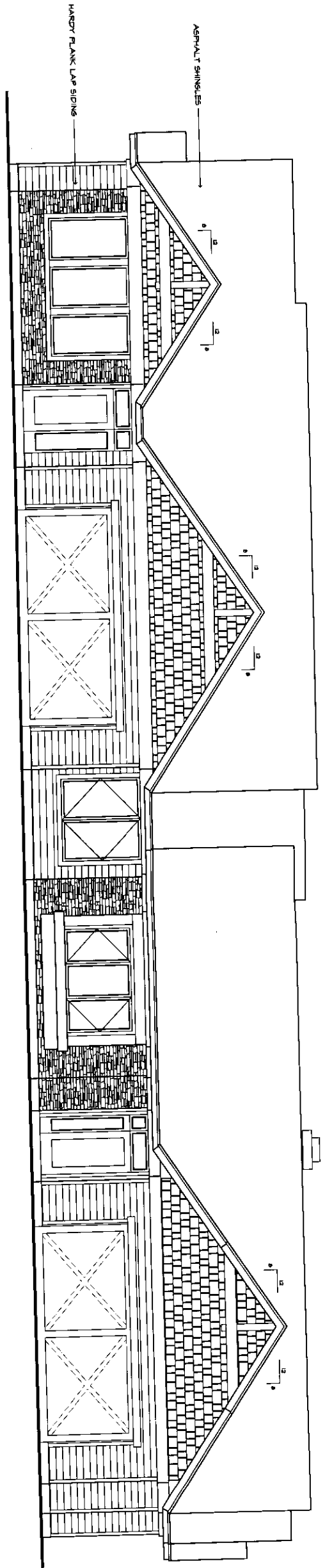
CIKAN ARCHITECTS, P.C.
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BOZEMAN, MONTANA 59715
(406) 586 3624



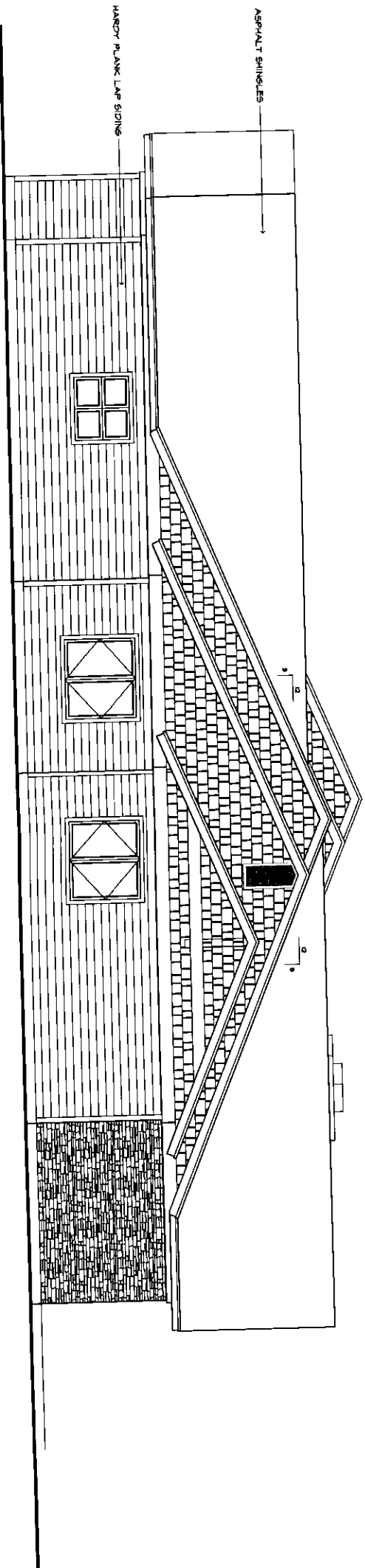
ELEVATIONS

A6

UNITS 90 & 91



FRONT



SIDE

GENERAL NOTE:
 CONSTRUCTION OF EXTERIOR WALLS, WINDOWS AND DOORS
 AS SHOWN IN THESE ELEVATIONS IS APPROXIMATE.

ELEVATIONS

SCALE 1/4" = 1'-0"

A7

ELEVATIONS



CIKAN ARCHITECTS, P.C.
 1807 W. DICKERSON, SUITE C
 BOZEMAN, MONTANA 59715
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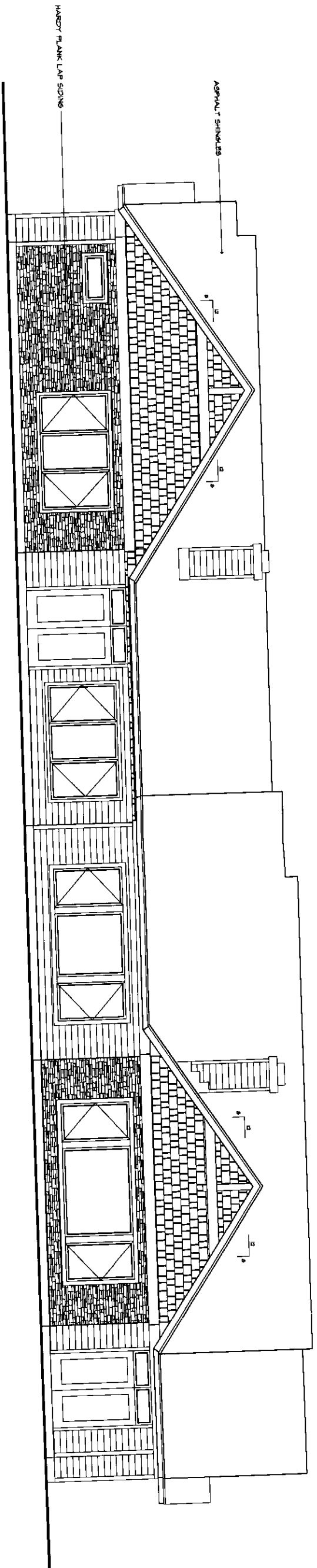
PHASE 13B
SOUTHMEADOW CONDOS
 9000 GRAF STREET, BOZEMAN, MONTANA

DATE

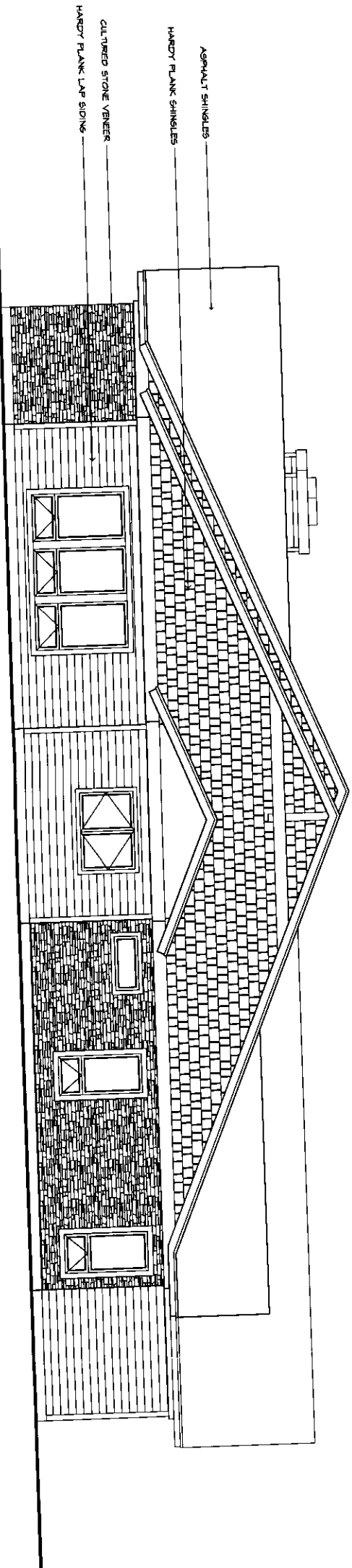
7/12/2011

REVISED

UNITS 90 & 91



BACK



SIDE

GENERAL NOTE:
 DIMENSIONS OF EXTERIOR FINISH UNLESS NOTED OTHERWISE
 AT ALL THE OTHER FINISH UNLESS NOTED OTHERWISE

ELEVATIONS

SCALE 1/4" = 1'-0"

A8



CIKAN ARCHITECTS, P.C.
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PHASE 13B
SOUTHMEADOW CONDOS
 9000 GRAF STREET, BOZEMAN, MONTANA

7/12/2011
REVISED